SPEECH

OF THE

HON. SOLOMON W. DOWNS,

OF LOUISIANA,

ON THE

RESOLUTION SUBMITTED BY MR. FOOTE OF MISSISSIPPI

RELATING

THE COMPROMISE MEASURES

A DEFINITIVE ADJUSTMENT OF THE AGITATING QUESTIONS GROWING OUT OF THE INSTITUTION OF DOMESTIC SLAVERY.

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SPEECH.

Mr. DOWNS said: Mr. President, I had not arrived in this city when the resolution under discussion was introduced, and, if I had been consulted on the subject, I should not have advised such a course. I do not think there is much virtue in abstract resolutions in legislative bodies; I prefer actions to words always; and as Congress has acted on the subjects referred to in the resolution, and has evinced no disposition to change the policy adopted in 1850, but, on the contrary, as it seemed to be sustained by more general approbation, both in and out of Congress, and in all sections of the country, than when first adopted, and has given peace, repose, and safety to the Union, I would not, if the choice had been left to me, have renewed this discussion. However, as it has been renewed without my agency, and has led to a general discussion of the compromise measures, in the course of which arguments and opinions have been advanced, and facts stated, most erroneous and dangerous to the country, and calculated to do injustice to those who are responsible for those measures, I, too, find it my duty to address the Senate on the subject. I appear not as the champion of the Compromise—I am willing that it should stand on its own merits—but to defend it from the unjust assaults that have been made against it. This very discussion has shown that it is stronger in the affections of the people than its best friends had supposed. The clear, frank, and satisfactory manner in which the honorable senator from Pennsylvania [Mr. BRODHEAD] vindicated his State and the North generally from the charge of obstructing the fugitive-slave law will calm and satisfy the minds of many in other quarters of the Union who have had their misgivings on the subject. This is just what we expected from that gentleman, from his previous course in the other end of the Capitol, and before the people, and from his noble State, now, as she has ever been, literally and truly the keystone in the arch of this our glorious Union. In another way this discusson will do good: it will show that the opposition to the Compromise is much narrower, and embraces fewer individuals than it did in 1850. Who makes war on it now? Not one from the South, I believe, except the senator from South Carolina on my left, [Mr. RHETT;] for I do not understand his colleague, [Mr. BUTLER]—whose manly and successful opposition to immediate secession, in my opinion, entitles him to the thanks and gratitude of the whole nation—as wishing to renew the struggle; and none from the North, whatever their

course previously may have been, except some few agitators, whose prospects, whose occupations, are gone when the peace and quiet of the country are restored. The concert of action between the fanatics North and South on this policy has been so well and so forcibly characterized by my friend from Alabama, [Mr. CLEMENS,] in his eloquent speech the other day, that I will not dwell on it. I will refer to only one illustration of the fact. While the senator from South Carolina [Mr. RHETT] attacks the territorial judges, the senator from New Hampshire [Mr. HALE] attacks most violently the Supreme Court of the United States. His attack is the highest mark of approbation to that high tribunal. The judges of that court have done their duty nobly, and as everybody expected they would, in relation to the fugitive-slave law. Without the faithful execution of the law, the peace and quiet of the country could not have been secured, or the durability of the measure vouched for. Much of the credit for its full execution is due to the judges of that Court. Without their prompt and energetic action, its success in some quarters may be well doubted. When the record of this dangerous crisis of our government comes to be inscribed on the page of history, nothing that was said or done during its existence ought to, or will, in my judgment, occupy a more conspicuous place, or be dwelt on with more interest, than Judge Nelson's charge to the grand jury, and similar opinions of Judge Woodbury and other members of the court. For these they are entitled to the thanks of every true patriot, and they will receive them, not the less from the contortions and writhing of the honorable senator from New Hampshire. This attack reminds me forcibly of the story of the viper biting the file, which only wounded itself. He says the Supreme Court is the "citadel of slavery." It is indeed a citadel; but it is the citadel of the Constitution—of the Union—firmly, and I hope forever, founded on a rock, from whose solid walls of granite such light missiles as the senator and his associates may hurl against it will fall as harmless as the load of a boy's pop-gun from the walls of yon monument to the Father of his Country, or (what is a more apposite simile, for he deals much in wind) as the light arrow from the blow-gun of the Indian falls from the sturdy oak of his native forest.

I shall now proceed to the main object of my speech—a reply to some of the arguments on the extraordinary positions assumed by the senator from South Carolina [Mr. RHETT] in this debate; and first I shall notice his objections to the Compromise. He says:

"If these enormous pretensions [the disposal of the territory] were submitted to, it would give the North the power of organizing and bringing into the Union sixty-four free States, and the South would retain but fifteen, including Delaware."

It might be a sufficient answer to this remark, that though these sixty-four States—thirty two of which are, I believe, to be west of the Rocky mountains—may, like some speculations in town lots or wild lands, look very well on paper, it will be long, indeed, if ever, before the idea will be realized. "Sufficient for the day is the evil thereof." When we take into consideration the thousands of miles of limitless, barren, desert, and inaccessible mountains, where the enterprise of even the American emigrant will not perhaps for a century raise a log-cabin, this must be considered at once the wildest chimera. But if it be true, how are we to prevent it? The danger, it is said, will consist in the North having power to exclude from the Union new slave States. But that power has existed from the foundation of the government. Has it ever been exercised to the injury of the South? I think history will show that it has not. But why should we complain so much about the admission of free States? Is it so unusual a thing? The South has held her own well on this point. We stand now relatively as to numbers just as we did when the constitution was adopted. Of the old thirteen States, at that time a majority of *seven* to *six* were really and practically free. They stand in the same relative position still at this day, even after the admission of California, so much complained of; for there have been eighteen new States admitted—nine slave and nine free. But this is not all. Of these new States, seven were formed from territory acquired since the Union was established; and of these seven, *five* (Florida, Louisiana, Arkansas, Missouri, and Texas) are slave States, and only five or six years since *every one of the States thus formed from foreign territory* were SLAVE STATES; the two free States, Iowa and California, having been since that time both admitted.

But might we not well inquire of the honorable senator how much better we should have done had we obtained the Missouri Compromise, which he and the Nashville convention were so willing to take, and thought so desirable that they are disposed to break up the Union because they did not get it? The whole territory acquired from Mexico was - - - - - - - 525,178 square miles.

The State of California is - - -	158,000	"
Leaving in Utah and New Mexico, without prohibition of slavery - - -	367,178	"
The quantity of the territory south of 36° 30', which is - - - -	204,383	"
Being deducted, will leave this as the advantage which the Compromise gives to the South over the Missouri Compromise line -	163,095	"

And this large area is left to the territorial bills in precisely the same situation as that south of 36° 30′ would have been had that line been adopted. But this is not all that may be said on this subject. If we add

to the - - - - - - - - -	163,095
square miles, as above stated, the area of Texas, which is -	325,520
it will make - - - - - - - -	488,615

square miles, which is the territory the South has got by the annexation of Texas, and the acquisition of territory from Mexico, in about two-thirds of which slavery is established, and in the residue not prohibited; while the North got only 158,000 square miles (California) out of the whole of the recent acquisitions, amounting together to 850,998 square miles. Let it not be supposed that I believe that full justice has been done the South in the disposition of the new territory recently acquired. I believe it has not. I fought against it on the Oregon bill; I fought against it on the California bill, and would do so again. But what I do mean is: that though not perfectly just, they are not sufficiently oppressive to justify resistance and disunion; that like all other acts of legislation, particularly in a country so widely extended as ours, there must be inequality in the operations of the laws; there must arise at times features of injustice to some portions. But they do not show any settled purpose in the North to oppress the South. California and Iowa, which gave the free States a majority, have never yet aided in oppressing the South, and it will be long before they will commence it. When they do, it will be time enough to complain and to secede. It is a sufficient answer to the reckless assertion so often made in the discussion of this subject, and on this occasion repeated by the senator, that "two States were wrested from us in Texas" by the boundary bill, to state that by the Texas compromise of 1845 slavery was *prohibited forever* in all the territory north of 36° 30′; while in the territory south of that line only the same option was left—to admit or reject slavery—which is now extended by this boundary bill from 36° 30′ up to 42°, the Oregon boundary.

Objection has been made to the admission of California on constitutional and other grounds. I cannot better reply to it than to read from a speech made by me on this subject in October last:

"I will now consider briefly the several measures called the Compromise; and, first, the one which has been most objected to—the admission of California as a State into the Union. Although I voted against the bill as a separate measure, yet, as I was willing to vote for it as a part of the Compromise, I will give you some of the reasons which brought me to this conclusion. I was disposed then to vote for this as a part of the Compromise, because my vote and that of all of the members of the South against it would not prevent its passage. I knew it would be passed in spite of us—and so in truth it was passed at last. But even if we could have prevented the passage of it, that would have done us no good; for slavery was prohibited

by her constitution, and her state government organized before this measure was brought before us, and it would have remained so just the same whether she was admitted or not. The only difference would have been, that she would not have been a State in the Union, and entitled to her senators and representatives in Congress. Slavery was excluded by her great distance from us, by the doubt and agitation as to the right to carry slaves there, and by many other causes, long before this prohibition was made, or the State admitted. But it is said the State was admitted irregularly, and without passing through the usual state of territorial probation. It may well be objected to this argument that there is no uniform rule on the subject. Some States were admitted in one form, and some in another. The constitution provides no form; nor does Congress. The power is plenary, and without condition or limit, except in one particular, and it is that 'Congress may admit new States.' The plan of territorial governments has been frequently adopted, but has been departed from in many previous cases. The first two new States admitted into the Union were admitted without this formality. The first (Vermont) was admitted in 1791, on the application of her commissioners, on a constitution formed in 1777, before the present constitution was adopted, precisely in the same way California was admitted; and the very next one (Kentucky) was admitted before she had any constitution at all by an act of Congress authorizing the President to declare her admitted when she should present herself with a republican constitution—just as it was proposed to do with California at one time; and thus she came in. There have been several other departures from the usual course; even Texas was one of them only a short time before. Mr. Polk, during his administration, despairing of settling the question otherwise, approved of a plan to admit California, prospectively, as in the case of Kentucky. Such a measure was proposed by Judge Douglas, and, being referred to the Judiciary Committee, I made a minority report, accompanied by a bill, in favor of it, but it did not pass. If it had, and California (as she no doubt would) had adopted a constitution prohibiting slavery, Congress would have had no more right to refuse to admit her than Kentucky. Indeed, many members of Congress from the South, as well as the North, under this idea, started by Mr. Polk, advised the Californians to adopt this course. I think, indeed, it was generally approved at first by southern men, until it began to be apprehended that slavery would be abolished. Yet all must have known—as Mr. Calhoun declared in his resolution of 1847—that when the people of a new territory formed a constitution for themselves, they had the '*unconditional right*' to reject or admit slavery, as they might decide."

I do not deem it necessary to discuss the constitutional question; for that was given up in the debate in the Senate on the protest in 1850.

The senator says the fugitive-slave law has not been executed, and he mentions two or three instances in which its execution had been prevented by the violence of mobs. But he ought to have recollected, as I am sure the country will recollect, that, before the passage of this act, the rule was that the law for the recapture of fugitives was not executed, and the exceptions were where it was, and that now the rule is the other way, and the few exceptions are where it has failed. It has been as fully and as faithfully executed as any law ever was or will be. It has been executed in every State in the West, and in other free States bordering on slave States in every instance, except one in Pennsylvania. The federal and State officers, civil and military, have done their duty. In no instance has the State authority interposed to prevent its execution—not even in Vermont, where alone a State legislature has attempted to interfere since the passage of the act, and that in a moment of delusion, and against the opinions of the ablest and best men even in that quarter of

the Union. I will not further discuss this point, but will conclude what I have to say on the subject with brief quotations from the speech of the honorable senator from Virginia [Mr. MASON] who sits near me, who differed very widely from me on the measures of the Compromise, and to whose able remarks on this subject, the other day, we all listened with so much pleasure:

"Now, I am not aware of one of the southern States, except the State of South Carolina, which continues to protest against them. I am not aware of one of the southern States, except the State of South Carolina, which has not declared, in the most emphatic manner, to the majority in this government. If you will stop there, and execute in good faith the law for the reclamation of fugitive slaves, we will acquiesce in what has been done."

"As to the fugitive-slave law, I do not entirely agree with the honorable senator from South Carolina [Mr. BUTLER] as to the practical effect of the law. I am not aware (unless it be in the first instance, which occurred at Boston) of any instance where the officers of the federal government, in the execution of that law, have failed to do their duty."

"Sir, I do not sympathize in the slightest degree with what fell from the honorable senator from South Carolina, [Mr. RHETT,] who addressed us yesterday and the day before, when he declared himself for disunion."

But why should we further discuss the compromise measures, when the senator has himself admitted that he does not find in them sufficient reason to justify the disunion movement which he has set on foot, and is so recklessly and so violently urging upon the people of South Carolina?—for he says, speaking of the compromise measures:

"If this had been the first instance in the operation of the government in which it had departed from that course of impartiality which should characterize its dealings with all its members, we should have sufficient reason perhaps to let it pass, as it would not be a result from the nature of the system itself, but an aberration which might be transient in its character."

This yields the point, and gives up all grounds of justification of resistance, so far as the compromise measures are concerned. It amounts to more than this: it is a solemn annunciation, made for the first and I hope the last time in the Senate of the United States by one of its members, that our system of government is a failure, and ought to be abandoned; that we should give up at once those institutions under which we have so much prospered, and are now so prosperous, and which are not only our dearest possessions, but, as was so eloquently said the other day by the distinguished guest of the nation now among us, offer the only *hope* to the rest of the world. I shall not examine the other grounds of complaint stated by the senator, inasmuch as I think they will have little weight with the public; since it has been so well remarked, in the course of this debate, that one of the most objectionable of them, according to his arguments—the tariff of 1846—was voted for by him and all the other members of the South Carolina delegation.

I proceed now to his arguments on secession. He opens this branch of his subject by a denunciation of southern pusillanimity, of which he speaks as flippantly and as coolly as if he had the sole right to rule in questions of honor and propriety for our portion of the Union, and as if his doctrines had not been repudiated by all the most patriotic and distinguished men of the South, and in his own State, and then proceeds to the argument by an assumption as little sustained by our past history as any that was ever made perhaps on this floor. He said:

"The policy of the Union is under the control of northern sentiments and northern interests."

Let us see how a few facts in our history will show the incorrectness of this assumption: The commander-in-chief of the army of the revolution was from the South; the permanent seat of government was established in the South; an extent of seacoast has been acquired in the South (embracing, too, the great outlet of the valley of the Mississippi) greater than our whole extent of coast at the close of the revolution, while none has been acquired in the North, on the Atlantic. Of the eleven Presidents elected, seven were from the South and four from the North; five from the South served two terms—not one from the North. The South has had the presidency nearly fifty out of sixty-four years that the present government will have existed at the close of the present term. The office of Chief Justice of the Supreme Court has been held by two southern men for more than half a century continuously. As it was in the past, so it is at present: a southern man presides here, and in the other house, and did during the last Congress; the chairman of the most important committees, in this and the other house, are southern men: the commander-in-chief of the army is a native of the South; all three of the commanders in the war with Mexico were natives, and two of them residents of the South.

I notice these things in no boastful spirit; they were, I know, brought about without design, in the natural course of events, but they certainly go far to show that the South are not that oppressed people which some would represent them to be.

For the double purpose of illustrating the opinion I have here advanced, and to show that Mr. Jefferson rejected with horror such violent remedies for injuries to the South as the senator has been propagating, I beg leave to read an extract from a speech delivered by me in June last:

"More than a quarter of a century since (1825) Mr. Jefferson (I need apply no epithets to him, his name is enough) though there was at least as much reason to complain of the action of the general government as any southern man can think now exists; yet he, in the most decided terms, disapproved of the remedy proposed by South Carolina, and those who concur with her. He said in his letter to Mr. Giles:

"'I see as you do, and with the greatest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that, too, by constructions which, if legitimate, leave no limits to their power.'

"'And what is our resource for the preservation of the constitution? Reason and argument. You might as well reason and argue to the marble columns encircling them!'

"'Are we, then, *to stand to our arms* with the hot-headed Georgian? No! This must be the last resource, *not to be thought of until much longer and greater sufferings.* If any infraction of a compact of so many parties is to be resisted at once, as a dissolution of it, none could ever be formed which could last one year. We *must have patience* and longer endurance with our brothers while under delusion; give them time for reflection and experience of consequences; *keep ourselves in a situation to profit by the chapter of accidents*, and separate from our companions only when the sole alternatives left are the dissolution of the Union with them, or submission to a government without limitation of powers.'"

"Never came from his pen wiser or more patriotic words than these! With what foresight his philosopic mind dwelt on events favorable to the South that have already come to pass! It seems like prophecy! Little more than a quarter of a century has elapsed; yet what, in that short space in the life of a nation, have been the 'chapter of accidents' already recorded in our history favorable to State rights and southern interests! Five Presidents have since been elected, and two acting Presidents; three of the Presidents were from the South, as was also one of the acting Presidents; and one of the Presidents from the North was a native of the South. The office of President has been actually held seventeen out of the last twenty-five years by southern Presidents, and only eight years by northern Presidents.

"During the administration of three of these southern Presidents—one of them too by accident—three of the greatest limitations ever imposed on the constructive powers of the federal government have been adopted in two cases by the executive power alone. President Jackson restrained by the Maysville veto the power claimed for a general system of internal improvements—the one at which Mr. Jefferson was more alarmed than any other—and Mr. Polk confirmed it in the veto of the harbor bill in 1846. Mr. Tyler vetoed a Bank of the United States, and made it an obsolete idea forever; and the high tariff, which drove South Carolina to nullification in 1832, was so much reduced under the advice of Mr. Polk, and his southern Secretary of the Treasury, as to leave no cause of complaint on that score, even on the part of South Carolina. Since 1825 seven new States have been admitted into the Union—four free, and three slave States; but the slave States thus admitted contain an area greater than the four free States, and there is a clause in the act admitting Texas providing for *four additional States* within her boundaries. There are, too, ahead some 'accidents' for the acquisition and admission of new States of the South which are not unworthy of consideration. I think, then, after all, we have stood our ground pretty well for the last quarter of century, and have no great reason to despair. Yes, we of the South have prospered greatly during that time. The North has also prospered greatly, perhaps more than we have, but we ought not to envy them, or quarrel with them for their good fortune. If they have made more money than we have, we have had, as has been the case through the whole history of the government, *at least* our share of the honor and power."

But if secession were a wise and safe remedy, have the States a right, under the constitution, as the senator and, I regret to say, some others of higher authority supposed, to resort to it? I think not, except as a revolutionary remedy. It is said to be a reserved right of the States; but that cannot be, because many rights, and this among others, are prohibited, as they would annul the grant of supreme power to the national government, and be inconsistent with other special prohibitions to the

States. An important part of the 10th amendment of the constitution, so often referred to, is the "powers prohibited to the States." Here it is in full:

"The powers *not* delegated to the United States by the constitution, *nor prohibited by it to the States*, are reserved to the States or to the people."

Are not both the powers delegated to the United States, and those prohibited to the States wholly incompatible with such a right?

The senator says:

"It [the right of secession] is a necessary incident connected with the reserved sovereignty of the States. One State could not give to another, and the constitution could not give to the States, the right to secede. They have it originally."

Well, suppose they had: why could not the constitution take it away? Was not one great object of the new constitution to take away certain powers from the States, and give them to the national government? And did it not take away State sovereignty, in a great degree at least?—for to lessen it is to destroy it. Must it not exist in its totality, or exist not at all? As there cannot exist in the same government two supreme powers, so it would seem there cannot exist two sovereignties. There are strong reasons to conclude it was taken away. The word is not, I believe, mentioned in the constitution. Certainly no such right is expressly reserved to the States in that instrument. There was, though, such an express reservation in the articles of confederation. Those articles were the first organic and pre-existing law of the nation. The constitution amended and enlarged them. A provision, then, that was in the first and omitted in the second, especially if inconsistent with the new powers granted, must be considered as abrogated. The second article of the confederation is:

"Each State *retains its sovereignty*, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States in Congress assembled."

Mr. Madison, in his letter to Mr. Randolph, just before the meeting of the convention in 1787, clearly thought the sovereignty must be given up. He wrote:

"I hold it for a fundamental point that an individual independence of the States is utterly irreconcilable with the idea of an *aggregate sovereignty*. I think, at the same time, that a consolidation of the States into one simple republic is not less unattainable than it would be inexpedient. Let it be tried, then, whether any middle ground can be taken which will at once support a due supremacy of the national authority, and leave in force the local authorities, so far as they can be *subordinately* useful."

General Washington took a similar view of the subject in his letter as president of the convention, in transmitting the constitution to Congress. He used this language:

"It is obviously impracticable in the federal government of these States to secure all rights of independent *sovereignty* to each, and yet provide for the interest and safety of all. Indi-

viduals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance as on the object to be attained. It is at all times difficult to draw with precision the line between those rights which must be surrendered and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits, and particular interests. In all our deliberations on this subject, we kept steadily in our view that which appears to us the greatest interest of every true American—*the consolidation of our Union*—in which is involved our prosperity, felicity, safety—perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the convention to be less rigid on points of inferior magnitude than might have been otherwise expected; and thus the constitution which we now present is the result of a spirit of amity and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable."

Mr. Jefferson did not believe the States retained their entire sovereignty. I cannot find that he ever uses the word in speaking of State rights; and it is certainly to be inferred from his writings that he thought it did not exist under our present constitution, but, on the contrary, he speaks of the general government as "acting on the citizens directly and *forcibly*." (Letter to Mr. Livingston, p. 391.)

General Jackson's opinions accorded with General Washington's, Mr. Jefferson's, and Mr. Madison's on this principle. Here is what he said about it in the proclamation of the 10th December, 1832, and it applies to the question of secession as well as that of State sovereignty:

"Men of the best intentions and the soundest views may differ in their construction of some parts of the constitution; but there are others on which dispassionate reflection can have no doubt. Of this nature appears to be the assumed right of secession.

"It rests, as we have seen, on the alleged undivided sovereignty of the States, and on their having formed, in this sovereign capacity, a compact which is called the constitution, from which, because they made it, they have the right to secede. Both of these positions are erroneous, and some of the arguments to prove them so have been anticipated.

"The States severally have not retained their entire sovereignty.

"It has been shown that, in becoming parts of a nation, not members of a league, they surrendered many of their essential parts of sovereignty. The right to make treaties, declare war, levy taxes, exercise exclusive judicial and legislative powers, were all of them functions of sovereign power. The States, then, for all these purposes, were no longer sovereign. The allegiance of their citizens was transferred, in the first instance, to the government of the United States; they became American citizens, and owed obedience to the constitution of the United States, and to laws made in conformity with the powers it vested in Congress. This last position has not been, and cannot be, denied. How, then, can that State be said to be sovereign and independent whose citizens owe obedience to laws not made by it, and whose magistrates are sworn to disregard those laws when they come in conflict with those passed by another? What shows conclusively that the States cannot be said to have reserved an undivided sovereignty is, that they expressly ceded the right to punish treason—not treason against their separate power, but treason against the United States. Treason is an offence against sovereignty, and sovereignty must reside with the power to punish it. But the reserved rights of the States are not less sacred because they have, for their common interest, made the general government the depository of those rights.

"So obvious are the reasons which forbid this secession, that it is only necessary to allude to them. The Union was formed for the benefit of all. It was produced by mutual sacrifices of

interests and opinions. Can those sacrifices be recalled? Can the States who magnanimously surrendered their title to the Territories of the West recall the grant? Will the inhabitants of the inland States agree to pay all the duties that may be imposed without their assent by those on the Atlantic or the Gulf, for their own benefit? Shall there be a free port in one State and onerous duties in another? No one believes that any right exists in a single State to involve another in these and countless other evils, contrary to the engagements solemnly made. Every one must see that the other States, in self-defence, must oppose it at all hazards."

But the senator has discovered a recognition of the sovereignty of the States in that provision of the constitution relating to treason. He has, in his quotation, interpolated words to help him out; but even that will not do. It is precisely this provision, and others on the same subject, that induced General Jackson to conclude that the States had not retained their entire sovereignty.

He [Mr. RHETT] quotes the constitution in these words:

"Treason against the United States shall consist only in levying war against them (*the United States*) or in adhering to their enemies, (*the enemies of the States*) giving them aid and comfort."

In the *project* of the constitution reported by the committee of detail in the convention, and taken up as the basis of discussion, the words after the United States "or any of them" was inserted in two places, but struck out on debate, which shows that treason was intended to be provided for against the United States alone. On the discussion of this article in the convention, Governeur Morris said:

"He was for giving to the Union an exclusive right to declare what should be treason. In case of a contest between the United States and a particular State, the people of the latter may, under the disjunctive terms of the clause, be traitors to one or the other authority."

Dr. Johnson said:

"That treason could not be both against the United States and individual States, being an offence against the sovereignty, which can be but one and the same community."

Mr. Madison said:

"That as the definition here was of treason against *the United States*, it would seem that the individual States would be left in possession of a concurrent power so far as to define and punish treason, particularly against themselves, which might involve a double punishment."

Mr. Wilson and Dr. Johnson moved that "or any of them," after the "United States," be struck out, in order to remove the embarrassment, which was agreed to *nem con.*

Mr. Madison said:

"This has not removed the embarrassment. The same act might be treason against the United States, as now defined, and against a particular State according to its laws."

Mr. Ellsworth said:

"There can be no danger to the government authority from this, as the laws of the United States are to be paramount."

Dr. Johnson was still of opinion—

"There could be no treason against a particular State."

Colonel Mason said:

"The United States will have a qualified sovereignty only. The individual States will retain a part of the sovereignty. An act may be treason against a particular State which is not so against the United States. He cited the rebellion of Bacon in Virginia as an illustration of the doctrine."

Dr. Johnson said:

"That case would amount to treason against the sovereign—the supreme sovereign, the United States."

Mr. King observed:

"That the controversy relating to treason might be of less magnitude than was supposed, as the legislature might punish capitally under other names than treason."

Mr. Wilson said:

"In cases of a general nature treason can only be against the United States; and in such they should have the sole right to declare the punishment of treason."

The words "against the United States" were stricken out and afterwards inserted, and the clause left as it now stands. The wisdom that guided the convention on this subject is shown by the fact that in all our subsequent history, treason has been declared and punished by the United States only, and that no difficulty has arisen from it or objection made.

The authority of Mr. Jefferson and General Jackson are relied on to sustain secession—with what justice may be seen from what follows:

"In his first inaugural address, Mr. Jefferson sets down as among the vital principles of our system, 'THE PRESERVATION *of the general government in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad; a jealous care of the rights of election by the people; a mild and safe corrective of abuses which are lopped off by the sword of revolution, where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority, the vital principles of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism.*'"

And this is not all. Afterwards he told us what were his opinions, upon a later occasion, when he had retired to private life. In 1824, when this subject was again, as in 1799, to be brought up before the Virginia legislature, in reference to the subject of internal improvements, he drew up a project, or a set of resolutions, which he thought ought to be adopted by the Virginia legislature under the circumstances. But did he profess secession? Not at all. But in the proposed resolutions, sent in a letter to Mr. Madison, that they should wait patiently, but protest against this violation of the constitution by these resolutions, and then postpone the question, and send these resolutions to other States, and rouse up the nation upon the subject, as we had done in 1798 and 1799. He never thought of secession. How, then, can he be quoted as authority for secession?

He said:

"Whilst the general assembly thus declares the rights retained by the States—rights which they have never yielded, and which this State will never voluntarily yield—they do not mean

to raise the banner of disaffection or of separation from their sister States, co-parties with themselves to this compact. They know and value too highly the blessings of their Union, as to foreign nations and questions arising among themselves, to consider every infraction as to be met by actual resistance. They respect too affectionately the opinions of those possessing the same rights under the same instrument to make every difference of construction a ground of immediate rupture. They would, indeed, consider such a rupture as among the greatest calamities which could befall them, but not the greatest. There is yet one greater—submission to a government of unlimited powers. It is only when the hope of avoiding this shall become absolutely desperate, that further forbearance could not be indulged. Should a majority of the co-parties, therefore, contrary to the expectation and hope of this assembly, prefer at this time acquiescence in these assumptions of power by the federal member of the government, we will be patient and suffer much, under the confidence that time, ere it be too late, will prove to them also the bitter consequences in which that usurpation will involve us all. In the meanwhile we will breast with them, rather than separate from them, every misfortune, save that only of living under a government of unlimited powers. We owe every other sacrifice to ourselves, to our federal brethren, and to the world at large, to pursue with temper and perseverance the great experiment which shall prove that man is capable of living in society, governing itself by laws self-imposed, and securing to its members the enjoyment of life, liberty, property, and peace; and further, to show that even when the government of its choice shall manifest a tendency to degeneracy, we are not at once to despair but that the will and the watchfulness of its sounder parts will reform its aberrations, recall it to original and legitimate principles, and restrain it within the rightful limits of self-government. And these are the objects of this declaration and protest."

I will not refer to the authority of Mr. Madison, for it is too well known to need any such reference. The senator from Alabama [Mr. CLEMENS] has already referred to him, and it would be useless for me to do so. But I will say that he equally disclaimed that doctrine. These names are worthy of some consideration and respect.

It is said sometimes that General Jackson's proclamation went further than he intended, and that there were explanations and retractions in regard to it given afterwards in the *Globe* or some other paper. I take a very different view of that proclamation. It was published on the 10th of December, while Congress was in session, and was discussed in the *Globe* and elsewhere. But I have examined those discussions, and I find no such retraction or explanation as it has been said was made. But if there was anything like that, still there is another document, which came from him some time afterwards, which supports my position. It is his celebrated nullification message, sent in to Congress on the 16th of January, more than a month after his proclamation. In that is the sentiment so often quoted against the secessionists.

General Jackson, in emphatic language, opposed the project of secession and nullification in 1833, and stated the principle involved as follows:

"The right of the people of a single State to absolve themselves at will, and without the consent of the other States, from their most solemn obligations, and hazard the liberties and happiness of the millions composing this Union, cannot be acknowledged. Such authority is be-

lieved to be utterly repugnant both to the principles upon which the general government is constituted, and to the objects which it was expressly formed to attain.

"Against all acts which may be alleged to transcend the constitutional power of the government, or which may be inconvenient or oppressive in their operation, the constitution itself has prescribed the modes of redress. It is the acknowledged attribute of free institutions, that, under them, the empire of reason and law is substituted for that of the sword. To no other source can appeals for supposed wrongs be made consistently with the obligations of South Carolina. To no other can such appeals be made with safety at any time; and to their decisions, when constitutionally pronounced, it becomes the duty no less of the public authorities than of the people in every case to yield a patriotic submission.

"That a State, or any other great portion of the people suffering under long and intolerable oppression, and having tried all constitutional remedies without the hope of redress, may have a natural right, when their happiness can be no otherwise secured, and when they can do so without greater injury to others, to absolve themselves from their obligations to the government and appeal to the last resort, need not on the present occasion be denied.

"The existence of this right, however, must depend upon the causes which may justify its exercise. It is the *ultima ratio*, which presupposes that the proper appeals to all other means of redress have been made in good faith, and which can never be rightfully resorted to unless it be unavoidable. It is not the right of the State, but of the individual, and of all the individuals in the State. It is the right of mankind generally to secure, by all means in their power, the blessings of liberty and happiness; but when, for these purposes, any body of men have voluntarily associated themselves under a particular form of government, no portion of them can dissolve the association without acknowledging the correlative right in the remainder to decide whether that dissolution can be permitted consistently with the general happiness. In this view, it is a right dependent upon the power to enforce it."

The gentleman has endeavored to weaken the force and authority of General Jackson in his celebrated proclamation and nullification message, by suggesting that that proclamation was drawn up by Mr. Livingston, and that, although Mr. Livingston was a republican once, he afterwards became a federalist. This statement of the senator from South Carolina [Mr. RHETT] in regard to this matter is full of errors and anachronisms. He said that Mr. Jefferson wrote Mr. Livingston a letter in approval of his speech upon Foot's resolution. But that could not be so, as Mr. Jefferson was dead four years before that speech was delivered. Mr. Livingston had made the speech in 1830, and Mr. Jefferson died in 1826. Mr. Jefferson did write him a letter in 1824, in relation to his speech upon the subject of internal improvements. And he did not then approve of his opinion; but, on the contrary, he disapproved of it *

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* THE HON. MR. RHETT, OF SOUTH CAROLINA.—It ought not, perhaps, to surprise us that this gentleman should continue to persevere in a course of policy which has been repudiated by the people of his State, and is obviously at war with the best interests of his country, as they are understood by the patriots and statesmen of both the great parties which have been developed by our public experience. Those who have watched the course of the *Southern Press*, located in this city for the professed purpose of guarding what it deems southern interests, cannot have failed to see that the honorable senator from South Carolina has but faithfully echoed the notes of that organ. Disunion rather than acquiescence in the Compromise—secession, not as a revolutionary remedy, but as a constitutional right—and the organization of the South in the attitude of resistance, suspending or nullifying the regular action of the laws, until those laws can be made to take the form prescribed by Mr. Rhett and his followers—are the great and prominent grounds upon which these new lights would seek to

But the gentleman has committed a still greater error in alleging that at one time of his life Mr. Livingston was a federalist, or one who favored the giving the strongest powers to the government of the United States.

But, Mr. President, the charge is made in order to lessen the weight of the proclamation, that Mr. Livingston was the author of it. But that matter has been so fully explained, that I will not now enter into it at any length. It has been fully explained by one who was the private secre-

tary of General Jackson at the time, and I shall merely attempt to show how utterly erroneous was the idea that General Jackson would allow any other person to dictate for him anything of that kind. It is a great mistake to suppose that General Jackson drew his ideas from other men. No doubt he had an able cabinet at that time, and no doubt Mr. Livingston was a prominent member of it. General Jackson consulted with other men, and they may have induced him to make alterations; but the character of the work is pre eminently his own.

To show how little foundation there is for the charge that Mr. Livingston inculcated the federal doctrines of Alexander Hamilton, I will refer you to his celebrated speech on Mr. Foot's resolutions. It was well that the gentleman tried to get clear of his authority, for it was a powerful authority against him. It was necessary to devise some scheme to get rid of it; and it will appear from the extracts from that speech, which I shall read, that he inculcated the most liberal and pure principles of State-rights democracy. Mr. Livingston made upon those resolutions a most eloquent speech, in which he differed from Mr. Webster, Mr. Hayne, Judge Rowan, and others. The only person with whom he did agree in that debate was a gentleman who I regret is now no more, but then a distinguished member of the Senate—Judge Woodbury. And he never, to the end of his life, retracted a single idea in that great speech. Yet the gentleman says he was a federalist, and inculcated the principle of Alexander

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document, were unaltered and unalterable. We remember to have heard Mr. Livingston often speak of the advantageous impressions he received from the General when discussing with him the difficulties created by the ordinance of South Carolina, and the practical mode of counteracting them by the constitutional action of the federal authority. He adverted to the scenes at New Orleans, when he, as one of the most prominent legal advisers of the General, felt overwhelmed by the declaration of martial law, and was startled at the summary proceedings which followed the resort to that extreme measure. He declared that, until he read the grounds of defence prepared by the General himself, he was not aware of the strength of his case, and that there was not a lawyer in the city of New Orleans who could have given the masterly exposition which the General gave without the aid of a single book. On that occasion, and in writing that defence, Mr. Livingston did no more than reduce into form the substance of the views hastily prepared by the General. It was the same with the proclamation, except that the latter document had all the consideration and reflection that were proper to secure it the lights which could be supplied by consultation with the most eminent statesmen and by the most careful examination of our public records and authorities.

The Hon. Mr. Rhett has perhaps forgotten that General Jackson was a prominent politician in 1800, and understood perhaps quite as well the views of Jefferson and Madison as those who now pretend to follow them when stirring up the South to organize resistance against the Compromise. General Jackson was the friend of Mr. Jefferson in those days, came to the Senate as a State-rights democrat, and never, by any act or deed, sanctioned a sentiment which he deemed inconsistent with the original doctrines of which Mr. Jefferson became the honored champion and expounder. It was in those days, too, that he became acquainted with Mr. Livingston, and learned to appreciate the consideration which entitled him, as a distinguished jurist, to the friendship and confidence of Mr. Jefferson. The reproach of federalism, before it will tarnish the memory of such a man, must come from a source that is less questionable than that which proclaims disunion the policy of the southern half of our confederacy, and the constitution a compact which can be dissolved by any of our States, whenever they choose, and for whatever cause they may be pleased to assign for such an extreme resort. If to oppose such violence be federalism, then was Washington a federalist, and so were also Jefferson, Madison, Jackson, and all our most eminent patriots and statesmen.—*Washington Union.*

Hamilton. Let me proceed to read from that speech, in which there was so much wisdom, so much eloquence, and so much good doctrine:

"I have given the subject the most anxious and painful attention; and differing, as I have the misfortune to do, in a greater or less degree, from all the senators who have preceded me, I feel an obligation to give my views on the subject.

"My friend from New Hampshire, [Mr. Woodbury,] of whose luminous argument I cannot speak too highly, and to the greatest part of which I agree, does not coincide in the assertion of a constitutional right of preventing the execution of a law believed to be unconstitutional, but refers opposition to the inalienable right of resistance to oppression.

"All these senators consider the constitution as a compact between the States in their sovereign capacity, and one of them [Mr. Rowan] has contended that sovereignty cannot be divided; from which it may be inferred that no part of the sovereign power has been transferred to the general government.

"The arguments, on the one side, to show that the constitution is the result of a compact between the States, cannot, I think, be controverted; and those which go to show that it is founded on the consent of the people, and, in one sense of the word, a popular government, are equally incontrovertible.

"Both of the positions, seemingly so contradictory, are true, and both of them are false—true as respects one feature in the constitution—erroneous if applied to the whole.

"But with all these proofs (and I think them incontrovertible) that the government could have been brought into being without a compact, yet I am far from admitting that because this entered so largely into its origin, therefore there are no characteristics of another kind, which impress on it a more intimate union and amalgamation of the interests of the citizens of the different States, which give to them the general character of citizens of the united nation. This single fact will show that the entire sovereignty of the States individually has not been retained. The relation of citizen and sovereign is reciprocal. To whatever power the citizen owes allegiance, that power is his sovereign. There cannot be a double, although there may be a subordinate fealty. The government, also, for the most part, (except in the election of senators, representatives, and President, and some others,) act in the exercise of its legitimate powers directly upon individuals, and not through the medium of State authorities. This is an essential character of a popular government.

"This government, then, is neither such a federative one, founded on a compact, as leaves to all the parties their full sovereignty, nor such a consolidated popular government as deprives them of the whole of that sovereign power.

"As to all these attributes of sovereignty, which, by the federal compact, were transferred to the general government, that government is sovereign and supreme; the States have abandoned and can never reclaim them. As to all other sovereign powers the States retain them.

"What is to be done? The right of the State, says the gentleman, must be respected; but, unfortunately for the argument, the constitution does not say so; unfortunately, it says directly the contrary. The President is bound by his oath to cause every constitutional law to be executed. But he has approved this law; therefore he believes it to be constitutional: but both houses have passed it; therefore they believed it so: but the judges have decreed it shall be executed; therefore they, too, have believed it to be constitutional. Must the President yield his own conviction, fortified as it is by these authorities, to the opinion of a majority—perhaps a small majority—in the legislature of a single State? If he must, again I say, show me the written authority—I cannot find it; I cannot conceive it. I am not asking for the expression of the reserved rights—I know that they are not enumerated—but I ask for the obligation to obey that right. I ask for the written instruction to the Executive to respect it; I ask for a provision that nothing but the grossest inattention or the most consummate folly could have omitted, if the doctrine contended for be true.

"No, sir, adopt this as a part of our constitution, and we need no prophet to predict its fall. The oldest of us may live long enough to weep over its ruins—to deplore the failure of the fairest

experiment that was ever made of securing public prosperity and private happiness, based on equal rights and fair representation—to die with the expiring liberties of our country, and transmit to our children, instead of the fair inheritance of freedom received from our fathers, a legacy of war, slavery, and contention.

"As I understand them, they assert the right of a State, in the case of a law palpably unconstitutional and dangerous, to remonstrate against it, to call on the other States to co-operate in procuring its repeal; and, in doing this, they must of necessity call it unconstitutional, and, if so, in their opinion null and void. Thus far I agree entirely with the language and substance of the resolutions. This, I suppose, is meant by the expression, interpose for the purpose of arresting the progress of the evil. I see in these resolutions no assertion of the right contended for—as a constitutional and peaceable exercise of a veto—followed out by the doctrine that it is to continue until, on the application of Congress for an amendment, the States are to decide. If these are the true deductions from the Virginia resolutions, I cannot agree to them, much as I revere the authority of the great statesman whose production they are—I cannot consent to them; and it is because I revere him and admire his talents that I cannot believe he intended to go this length. I cannot believe it for another reason: He thought, and he conclusively proved, the alien and sedition laws to be deliberate, unconstitutional, and dangerous acts—he declared them so in his resolutions. Yet, sir, he never proposed that their execution should be resisted.

"I think that the constitution is the result of a compact entered into by the several States, by which they surrendered a part of their sovereignty to the Union, and vested the part so surrendered in a general government; that the government is partly popular, acting directly on the citizens of the different States—partly federative, depending for its existence and action on the existence and action of the several States.

"That by the institution of this government the States have unequivocally surrendered every constitutional right of impeding or resisting the execution of any decree or judgment of the Supreme Court, in any case of law and equity between persons or on matters of whom or on which that court has jurisdiction, even if such decree or judgment should, in the opinion of the States, be unconstitutional.

"That in cases in which a law of the United States may infringe the constitutional right of a State, but which in its operation cannot be brought before the Supreme Court under the terms of the jurisdiction expressly given to it over particular persons or matters, that court is not created the umpire between a State that may deem itself aggrieved and the general government.

"That, among the attributes of sovereignty retained by the States is that of watching over the operations of the general government, and protecting its citizens against their unconstitutional abuses; and that this can be done legally—

"First, in the case of an act in the opinion of the State palpably unconstitutional, but affirmed in the Supreme Court in the legal exercise of its functions;

"By remonstrating against it to Congress;

"By an address to the people, in their elective functions, to change or instruct their representatives;

"By a similar address to the other States, in which they will have a right to declare that they consider the act as unconstitutional, and therefore void;

"By proposing amendments to the constitution, in the manner pointed out by that instrument;

"And, finally, if the act be intolerably oppressive, and they find the general government persevere in enforcing it, by a resort to the natural right which every people have to resist extreme oppression.

"Secondly, if the act be one of those few which in its operation cannot be submitted to the Supreme Court, and be one that will, in the opinion of the State, justify the risk of a withdrawal from the Union, that this last extreme remedy may be at once resorted to.

"That the right of resistance to the operation of an act of Congress, in the extreme cases above alluded to, is not a right derived from the constitution, but can be justified only on the supposition that the constitution has been broken, and the State absolved from its obligation;

and that whenever resorted to, it must be at the risk of all the penalties attached to an unsuccessful resistance to established authority.

"That the alleged right of a State to put a veto on the execution of a law of the United States which such State may declare to be unconstitutional, attended (as, if it exist, it must be with a correlative obligation on the part of the general government to refrain from executing it, and the further alleged obligation, upon the part of that government, to submit the question to the States, by proposing amendments, are not given by the constitution, nor do they grow out of any of the reserved powers.

"That the exercise of the powers last mentioned would introduce a feature in our government not expressed in the constitution, not implied from any right of sovereignty reserved to the States, not suspected to exist by the friends or enemies of the constitution, when it was framed or adopted, not warranted by practice or contemporaneous exposition, nor implied by the true construction of the Virginia resolutions of '98.

"That the introduction of this feature in our government would totally change its nature, make it inefficient, invite to disunion, and end, at no distant period, in separations; and that if it had been proposed in the form of an express provision in the constitution, it would have been unanimously rejected, both in the conventions which framed that instrument and in those which adopted it.

"That the theory of the federal government being [illegible] the people of the United States in their aggregate sovereignty, and that [illegible] degree of concert between the States, would tend to the most disastrous practical results; that it would place three-fourths of the States at the mercy of one-fourth, and [illegible] finally to monarchy if the doctrine were [illegible] to civil dissension.

"Arguments for and against the [illegible] form the topic of dinner speeches, are [illegible] were 'a knot of policy that might [illegible] that can be severed only with the sword. The [illegible] blood of brothers. I cannot, therefore, [illegible] may influence or powers of persuasion, I should feel myself [illegible] admonition to both parties in this eventful controversy.

"Menace is unwise, because it is [illegible] at the existence of the Union is most [illegible] deavor to familiarize the people to the idea—have they [illegible] recommend? Have they calculated, have they considered, what one, two, or three States would be disjointed from the rest? Are they sure that they would not be [illegible] parts of any State which might try the [illegible] to the whole? Even if civil war should not be the consequence of such disunion—an exemption from which I cannot conceive the possibility—what a [illegible] of such detached parts of the mighty whole? Dependence on foreign alliances for protection against brothers and friends; degradation in the scale of nations; disposed of by the protocols of allied monarchs as one of their dependents like the defenceless Greeks. But I will not [illegible] fruitful of the most appalling apprehensions. Disunion! The thought itself, the means by which it may be effected, its frightful and degrading consequences, the idea, the very mention of it, ought to be banished from our debates, from our minds. God deliver us from this worst, this greatest evil!"

As a last and conclusive proof that a State has not the right peaceably to secede from the Union, I refer to the emphatic language used ratifying the articles of confederation. It was stipulated in the most formal and solemn manner that the Union formed by that instrument should be *per-*

petual. The States certainly had no right to secede under it. But the present constitution was intended for and did establish "*a more perfect union.*" How, then, can a State secede under it? Here is the article referred to:

"ART. 13. Every State shall abide by the determinations of the United States in Congress assembled on all questions which, by this confederation, are submitted to them. And the articles of this confederation *shall be inviolably observed by every State, and the union shall be perpetual;* nor shall any alteration, at any time hereafter, be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislature of every State. And whereas it has pleased the great Governor of the World to incline the hearts of the legislatures we respectively represent in Congress to approve of and to authorize us to ratify the said articles of confederation and *perpetual union:* know ye that we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and *perpetual union*, and all and singular the matters and things therein contained. And we do further solemnly plight and *engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled* on all questions which, by the said confederation, are submitted to them; and that the articles thereof shall be inviolably observed by the States we respectfully represent, and *that the Union shall be perpetual.*"

From these authorities, and from these considerations, I conclude that a State has no right peaceably to secede from the Union; that, as a revolutionaty right, it may be resorted to in cases of extreme oppression: but even then it finds its warrant, not in the constitution, but in the opinion of mankind.

Let it not be supposed from what I have here said that I undervalue or would diminish the powers and rights of the States. I would guard and defend their rights as earnestly as I would the powers of the general government. I believe they are equally as important and as necessary to our safety and happiness and the duration of the Union. I am a strict constructionist of the power granted to the national government, and would not extend it by construction. Any power not written in the charter I would not see exercised. But at the same time I would not, with approbation, see powers expressly given, or necessarily implied from those granted, denied to the united government of all, or assumed by the States. I would not make that a nullity which our ancestors, with Washington, and Franklin, and Madison at their head, thought they had constituted an efficient and self sustaining government. I am a State-rights man—not in the modern sense, perhaps, which gives everything to the States, and takes everything from the Union—but in the sense in which Jefferson and Madison, Jackson, Livingston, Woodbury, and Polk understood it, that the powers of our government were by our constitution divided between the State and national authorities, and that our only

safe and wise course is to preserve this division sacred and inviolate, and permit neither set of functions to encroach on the other.

I have now concluded what I felt it my duty to say on the compromise resolution before the Senate, and hope the discussion will soon be closed, and the question involved put at rest forever. During the last two years we have been exposed to a political storm such as our government has seldom been exposed to; such as few governments, especially, composed of different States widely separated in distance, in interest, and in feeling, would have had the strength to ride out in safety. The clouds are fast disappearing; and as they do, the heart of every true patriot thrills with delight at seeing that not a star has paled or shot from its orbit in our glorious constellation. A great crisis has been passed. A nation of nearly twenty-five millions of people, thirty-one States, and almost boundless territory, stretching from one great ocean of the world to the other, and from the tropics to the frozen regions of the North, differing in climate, in interests, in opinions, and in local institutions, in this age of agitation and turmoil—for almost all the world besides has been excited in the highest degree—yet not a hostile shot has been fired, a funeral drum beaten, or an execution taken place, a widow or an orphan made, or a homestead given to the flames. Yes, here we stand on the great platform of our Union, in peace and prosperity, looking down with sympathy, it is true, but with a proud consciousness of our superior advantages, on the other less fortunate portions of the globe, struggling through all the miseries of revolution.

In the scenes through which we have just passed, though an humble, I have not been an idle spectator. I have thought of the South and the Union alone, and devoted all my feeble energies to sustain them. Though a party-man all my life, I forgot my party and myself, and thought only of my country. I was at no time unconscious of the political danger and responsibility I incurred, and often adverted to it. When I thought the President and other distinguished men of his party did their duty—not better, but as well as others of my own party—in the great crisis, I said so. I thought not of the effect on myself. I have nothing to retract or regret on this subject in all the past. That I have committed errors I do not doubt. But I have the proud consciousness of feeling that I acted from good motives, and that the people of my State, and the public generally, will award me this merit, though politicians may not sustain me. If, from peculiar circumstances, I should not be re-elected, be it so. I shall retire cheerfully to the shades of private life, there to enjoy that peace and prosperity of the country which my own course as a public man will have, in some degree, contributed

to produce. But if I was ambitious, or not content with private life, I should desire nothing more than such a defeat to re-establish myself and my party more firmly than ever in the affections of the people of my State in the great national and State elections approaching.